



S010656%S%2004
STATE WATER RESOURCES
CONTROL BOARD
2002, 2003, 2004

2005 JUL 18 AM 11:57

DIV OF WATER RIGHTS
SACRAMENTO

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.

Notify this office if ownership or address changes occur during the coming year.

Please Complete and Return This Form by JULY 1, 2005.

***If the mail recipient's name, address or phone No. is wrong or missing, please correct.**

Owner of Record: HILTON FAMILY TRUST;

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:

**HILTON FAMILY TRUST
DBA FLYING M CATTLE COMPANY
11 PINE GROVE RD
YERINGTON, NV 89447**

STATEMENT NO.: S010656
CONTACT PHONE NO.: (775)463-5550

Source Name: JIMMY HEN SPRING

Tributary To: Unnamed Creek

County: Mono

Diversion Within: SE1/4 of NE1/4 Section 27, T05N, R26E, MB&M ✓

Year of First Use: 1895

Parcel Number:

A. **Water is Used Under:** Riparian claim _____ Pre-1914 right _____ Other (explain): _____

B. **Year of First Use:** (Please provide if missing above) _____

C. **Amount of Use:** Enter the amount (or the approximate amount) of water used each month, using the table below.

Amounts below are in: Gallons Million Gallons (MG) Acre-feet (AF) Other													Total Annual
Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	
2002						✓	✓	✓	✓	✓			
2003						✓	✓	✓	✓	✓			
2004						✓	✓	✓	✓	✓			

D. **Purpose of Use** – Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation _____ acres; Stockwatering 45 hd. cattle; Domestic _____

Other (specify) _____

E. **Changes in Method of Diversion** – Describe any changes in your project since your previous statement was filed.
(New pump, enlarged diversion dam, location of diversion, etc.)

F. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Are you now employing water conservation efforts? YES _____ NO _____
Describe any water conservation efforts you have initiated: _____

b. If you are claiming credit for water conservation under section 1011 of the Water Code for your claimed pre-1914 appropriative right, please show the amount of water conserved:

Reduction in Diversions:

Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

Reduction in consumptive use:

Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

I have data to support the above surface water use reductions due to conservation efforts. YES _____ NO _____

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES ____ NO ____.
- b. If you are claiming credit due to the substitution of reclaimed water, desalinated water or polluted water in lieu of a claimed pre-1914 appropriative right under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of substitute water supply used:

Amount of reduced diversion:
Year ____ (AF/MG) Year ____ (AF/MG) Year ____ (AF/MG)

State the type of substitute water supply: _____

Amount of substitute water supply used:
Year ____ (AF/MG) Year ____ (AF/MG) Year ____ (AF/MG)

I have data to support the above surface water use reductions due to the use of a substitute water supply. YES ____ NO ____.

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES ____ NO ____.
- b. If you are claiming credit due to the substitution of groundwater for a claimed pre-1914 appropriative right under section 1011.5 of the Water Code, please show the amounts of groundwater used:

Year ____ (AF/MG) Year ____ (AF/MG) Year ____ (AF/MG)

I have data to support the above surface water use reductions due to the use of groundwater. YES ____ NO ____.

I understand that it may be necessary to document the water savings claimed in "F" above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: June 23, 2005 at Yerington, Nevada, California

SIGNATURE: Ernest B. Paine

PRINTED NAME: Ernest B. Paine, Manager
(first name) (middle initial) (last name)

COMPANY NAME: Flying M Cattle Company

If there is insufficient space for your answers, please use the space provided below.

ITEM	CONTINUATION
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA
There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.
Notify this office if ownership or address changes occur during the coming year.

PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 1996.

OWNER OF RECORD: BARRON HILTON DBA FLYING M CATTLE CO
(Wm. Barron Hilton, Trustee, Hilton Family Trust)

BARRON HILTON DBA FLYING M CATTLE CO
11 PINE GROVE RD
YERINGTON, NV 89447

STATEMENT NO: S010656

SOURCE: JIMMY HEN SPRING
TRIBUTARY TO: UNCR
COUNTY: MONO
DIVERSION

TELEPHONE NUMBER:
(702) 463-5550
YEAR OF FIRST USE:
PARCEL NO:

WITHIN: SE¼ OF NE¼ SECTION 27, T5N, R26E, MB&M.

- A. Water is used under: Riparian claim _____; Pre 1914 right x _____; Other (explain) _____
- B. Year of first use (Please provide if missing above) 1895
- C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☐ Acre-feet ☐ (other) _____

YEAR	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT	OCT.	NOV.	DEC	TOTAL ANNUAL
1993						XXXXXXX	XXXXXXX	XXXXXXX	XXXXXXX	XXXX			
1994						XXXXXXX	XXXXXXX	XXXXXXX	XXXXXXX	XXXX			
1995						XXXXXXX	XXXXXXX	XXXXXXX	XXXXXXX	XXXX			

- D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.
Irrigation _____ acres; Stockwatering 45 hd. cattle; Domestic _____
Other (specify) _____
- E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

- F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: June 25, 19 96, at Yerington, Nevada 89447

SIGNATURE: Ernest B. Paine

PRINTED NAME: Ernest B. Paine, Manager

(FIRST NAME)

(M. NAME)

(LAST NAME)

COMPANY NAME: Flying M Cattle Company

See back of page for General Information. If there is insufficient space for your answers, please number them in the space provided on the back of this form.

ITEM CONTINUATION

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available, including the following:

- "Statements of Water Diversion and Use"
- "Information Pertaining to Water Rights in California"
- "Water Rights for Stockponds Constructed Prior to 1969"
- "Appropriation of Water in California"

5-10 656

**** PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS ****

**STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS**

P.O. BOX 2000 SACRAMENTO, CA 95812-2000

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

STATEMENT NO: S010656
OWNER OF RECORD: BARRON HILTON DBA FLYING M CATTLE CO

BARRON HILTON DBA FLYING M CATTLE CO
11 PINE GROVE RD
YERINGTON, NV 89447

STATE WATER RESOURCES
CONTROL BOARD
1995 JUL 28 AM 11:48
DIV. OF WATER RIGHTS
SACRAMENTO

SOURCE: JIMMY HEN SPRING
TRIBUTARY TO: UNCR
COUNTY: MONO
DIVERSION

WITHIN: SE¼ OF NE¼ SECTION 27, T5N, R26E, MDB&M. ✓

TELEPHONE NUMBER:
(702) 463-5550
YEAR OF FIRST USE:
PARCEL NO:

(If any of the above information is inaccurate or missing, please correct. Notify this office if ownership or address changes occur during the coming year.)

COMPLETE AND RETURN THIS FORM BY JULY 1, 1995

A. Water is used under: Riparian claim _____; Pre 1914 right xx _____; Other (explain) _____

B. Year of first use (Please provide if missing above) 1895

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☐ Acre-feet ☐ (other) _____

	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC	TOTAL ANNUAL
1992						xxxx	xxxxxx	xxxxxx	xxxxxx	xxxx			
1993						xxxx	xxxxxx	xxxxxx	xxxxxx	xxxx			
1994						xxxx	xxxxxx	xxxxxx	xxxxxx	xxxx			

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.
Irrigation _____ acres; Stockwatering 45 hd. cattle; Domestic _____
Other (specify) _____

***** CONTINUE ON BACK PAGE *****

*** PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS ***

- E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

- F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: July 1, 19 95, at Yerington, Nevada, California

SIGNATURE: Ernest B. Paine

PRINTED NAME: Ernest B. Paine
(FIRST NAME) (M. NAME) (LAST NAME)

COMPANY NAME: Flying M Cattle Company

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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"Statements of Water Diversion and Use"
"Information Pertaining to Water Rights in California"
"Water Rights for Stockponds Constructed Prior to 1969"
"Appropriation of Water in California"

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95812-2000
901 P ST. SACRAMENTO, CA 95814
(916) 322-4503
(916) 657-1875

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

DIVERTER OF RECORD:

STATEMENT NO: 010656

BARRON HILTON DBA FLYING M CATTLE CO
~~9336 CIVIC CENTER DRIVE~~ Flying M Cattle Co.
~~BEVERLY HILLS, CA 90210~~ 11 Pine Grove Road
Yerington, NV 89447
(702) 463-5550

TELEPHONE NUMBER:
(213) 205-4011

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: JIMMY HEN SPRING

TRIBUTARY TO: UNNAMED CREEK

COUNTY: MONO

Flying M Cattle Co.
11 Pine Grove Road
Yerington, NV 89447
(702) 463-5550

DIVERSION

WITHIN: SE1/4 OF NE1/4 SECTION 27, T05N, R26E, MDB&M.

INSTRUCTIONS: Please complete Items A, B and C. Item D should be completed if you replaced all or part of your regular water supply with reclaimed or polluted water. RETURN THIS FORM BY JULY 1, 1993. (Additional information on reverse side of this form.)

A. Amount of Use - Fill in the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts ☐ Gallons
below are: ☐ Acre-feet
☐ _____ (other)

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1990						X	X	X	X	X			
1991						X	X	X	X	X			
1992						X	X	X	X	X			

B. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation _____

Stockwatering 45 hd. cattle (1700 hd. cattle permit) _____

Domestic _____

Other (specify) _____

C. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

none

D. If part of the water listed in Part A consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: June 1, 1993, at Yerington, Nevada, California

Signature: Emmett B. Price

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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- "Appropriation of Water in California"

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95810
901 P ST. SACRAMENTO, CA
(916) 322-4503

(916) 324-5676
SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

DIV. OF WATER RIGHTS
SACRAMENTO

DIVERTER OF RECORD:

STATEMENT NO: 010656

BARRON HILTON DBA FLYING M CATTLE CO
9336 CIVIC CENTER DRIVE
BEVERLY HILLS, CA 90210

TELEPHONE NUMBER:
(213) 277-1393

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: JIMMY HEN SPRING

TRIBUTARY TO: UNNAMED CREEK

COUNTY: MONO

DIVERSION

WITHIN: SE1/4 OF NE1/4 SECTION 27, T05N, R26E, MDB&M.

INSTRUCTIONS: Please complete Items A, B and C. Item D should be completed if you replaced all or part of your regular water supply with reclaimed or polluted water. RETURN THIS FORM BY JULY 1, 1990. (Additional information on reverse side of this form.)

A. Amount of Use - Fill in the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☐ Acre-feet ☐ _____ (other)

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug	Sept.	Oct.	Nov.	Dec	Total Annual
1987						X	X	X	X	X			
1988						X	X	X	X	X			
1989						X	X	X	X	X			

B. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation _____

Stockwatering

45 hd. cattle (1700 hd. cattle permit)

Domestic _____

Other (specify) _____

C. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

N/Change

D. If part of the water listed in Part A consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: June 5, 1990, at Yerington, Nevada, California

Signature: Ernest B. Rame

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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- "Appropriation of Water in California"

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95810
901 P ST. SACRAMENTO, CA
(916) 322-4503

(916) 324-5741
SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

DIVERTER OF RECORD:

STATEMENT NO: 010656

BARRON HILTON DBA FLYING M CATTLE CO
~~9990 SANTA MONICA BOULEVARD~~
BEVERLY HILLS, CALIF ~~90212~~

9336 Civic Center Drive

90210

TELEPHONE NUMBER:
(213) 277-1393

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: JIMMY HEN SPRING

TRIBUTARY TO: UNNAMED CREEK

COUNTY: MONO

DIVERSION

WITHIN: SE1/4 OF NE1/4 SECTION 27, T05N, R26E, MDB&M.

INSTRUCTIONS: Please complete Items A, B and C. Item D should be completed if you replaced all or part of your regular water supply with reclaimed or polluted water. RETURN THIS FORM BY JULY 1, 1987. (Additional information on reverse side of this form.)

A. Amount of Use - Fill in the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons
☐ Acre-feet
☐ _____ (other)

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1984						X	X	X	X	X			
1985						X	X	X	X	X			
1986						X	X	X	X	X			

B. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation _____

Stockwatering 45 hd. cattle (1700 hd. cattle permit) _____

Domestic _____

Other (specify) _____

C. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

No changes

D. If part of the water listed in Part A consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: June 25, 1987, at Yerington, Nevada, California

Signature: Ernest D. Price

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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"Statements of Water Diversion and Use"

"Information Pertaining to Water Rights in California"

"Water Rights for Stockponds Constructed Prior to 1969"

"Appropriation of Water in California"

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
STATEMENT OF WATER DIVERSION AND USE
(This is not a Water Right)

This statement should be typewritten or legibly written in ink.

STATE WATER RESOURCES
CONTROL BOARD

Nov 27 9 28 AM '81

A. Name of person diverting water Barron Hilton DBA Flying M Cattle Company
Address 9990 Santa Monica Blvd, Beverly Hills, CA 90212 Telephone 213-277-1393

B. Name of body of water at point of diversion Jimmy Hen Spring
Tributary to Unnamed Creek, Tributary to Aurora Canyon

C. Place of diversion SE 1/4 NE 1/4 Section 27 Township 5N Range 26E MD B&M, Mono County, or locate it on sketch of section grid on reverse side with regard to section lines or prominent local landmarks.

D. Name of works Jimmy Hen Spring

E. Capacity of diversion works

cubic feet per second
gallons per minute
gallons
acre-feet

Capacity of storage reservoir

State quantity of water used each month in gallons or acre-feet

Year	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
						X	X	X	X	X			

If monthly and annual use are not known, check months in which water was used. State extent of use in units, such as acres of each crop irrigated, average number of persons served, number of stock watered, etc.

of stock watered = 100

Maximum annual water use in recent years

gallons

Minimum annual water use in recent years

gallons
acre-feet

Type of diversion facility: gravity, pump

Method of measurement: weir, flume, electric power meter, water meter, estimate

F. Purpose of use (what water is being used for) stock watering

G. General description or location of place of use (use sketch of section grid on reverse side if you desire)

H. Year of first use as nearly as known

I. Name of person filing statement Walter L. Neitz

Position Principal

Organization AER, Inc.

Address 2890 Vassar St., Reno, Nevada 89502

Telephone 702-323-4202

I declare under penalty of perjury that the above is true and correct to the best of my knowledge and belief.

DATED: Nov. 17, 1981, at Los Angeles, California.

Signature: James L. Neitz, Attorney

See Instructions on Reverse Side